

REMARKS

Claims 1, 2, 4-14, and 16-26 are now pending in the application. Although allowable subject matter was indicated, claims 1, 2, 4-14, and 16-26 currently stand rejected. For example, the Examiner indicated that claims 1, 2, 4-9, 21, and 23-26 can be made allowable by removal of the term “exactly” from claims 1 and 10, thus overcoming the §112 rejection; claims 1 and 10 are so amended. Claim 10 is also amended to incorporate the subject matter recited in the allowable claim 25, now cancelled. Further, claim 26 is amended to render it dependent from claim 10. Finally, claims 1, 6-10, 12, 13, and 17-20 are amended in view of the ruling in Superguide Corporation v. DirecTV Enterprises, Inc., et al., 358 F.3d 870 (Fed. Cir. 2004) as further explained below. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 1, 2, 4-14, and 16-26 stand rejected under 35 U.S.C. 112, second paragraph, because the term “exactly” in claims 1 and 10 is not sufficiently defined in the Specification. This rejection is respectfully traversed.

Applicants have deleted the objectionable phrase from the claims.

Accordingly, Applicants respectfully request the Examiner withdraw the rejection under 35 U.S.C. 112, first paragraph.

REJECTION UNDER 35 U.S.C. § 102

Claims 10, 13, 14, 17, 19, and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Takebayashi et al. (U.S. Pat. No. 5,577,165). This rejection is respectfully traversed.

Takebayashi et al. is generally directed toward a speech dialogue system. The Examiner admits that claim 25 recites subject matter not anticipated by Takebayashi. Accordingly, Applicants have cancelled claim 25 and amended independent claim 10 to include the subject matter recited in claim 25.

Applicants respectfully request the Examiner withdraw the rejection of independent claims 10 under 35 U.S.C. §102(b) based on Takebayashi et al., along with rejections on these grounds of all claims dependent therefrom.

REJECTION UNDER 35 U.S.C. § 103

Claims 11, 12, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takebayashi et al. (U.S. Pat. No. 5,577,165) in view of LaRue (U.S. Pat. No. 5,748,840). This rejection is respectfully traversed.

For discussion of Takebayashi et al., Applicants respectfully direct the Examiner's attention to remarks detailed above respective of rejection under 35 U.S.C. 102(b).

La Rue is generally directed toward recognition of spelled or spoken words in a large database. The Examiner admits that claim 25 recites subject matter not anticipated by Takebayashi or LaRue. Accordingly, Applicants have cancelled claim 25 and amended independent claim 10 to include the subject matter recited in claim 25.

Applicants respectfully request the Examiner withdraw the rejection of claims 11, 12, and 16 under 35 U.S.C. § 103(a) based on their dependence from allowable base claim 10.

Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Takebayashi et al. (U.S. Pat. No. 5,577,165) in view of Cornelison (U.S. Pat. No. 5,263,118). This rejection is respectfully traversed.

For discussion of Takebayashi et al., Applicants respectfully direct the Examiner's attention to remarks detailed above respective of rejection under 35 U.S.C. 102(b).

Cornelison is generally directed toward a parking ticket enforcement system. The Examiner admits that claim 25 recites subject matter not anticipated by Takebayashi or Cornelison. Accordingly, Applicants have cancelled claim 25 and amended independent claim 10 to include the subject matter recited in claim 25.

Applicants respectfully request the Examiner withdraw the rejection of claim 18 under 35 U.S.C. § 103(a) based on its dependence from allowable base claim 10.

Claim 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takebayashi et al. (U.S. Pat. No. 5,577,165) in view of Richards (U.S. Pat. No. 6,038,534). This rejection is respectfully traversed.

For discussion of Takebayashi et al., Applicants respectfully direct the Examiner's attention to remarks detailed above respective of rejection under 35 U.S.C. 102(b).

Richards is generally directed toward mimicking voice commands as keyboard signals. The Examiner admits that claim 25 recites subject matter not anticipated by Takebayashi or Cornelison. Accordingly, Applicants have cancelled claim 25 and amended independent claim 10 to include the subject matter recited in claim 25.

Applicants respectfully request the Examiner withdraw the rejection of claim 22 under 35 U.S.C. § 103(a) based on its dependence from allowable base claim 10.

AMENDMENTS IN VIEW OF SUPERGUIDE

Claims 1, 6-10, 12, 13, and 17-20 are amended in view of the ruling in Superguide Corporation v. DirecTV Enterprises, Inc., et al., 358 F.3d 870 (Fed. Cir. 2004). The ruling in the aforementioned case construes the “at least one of ... and” language in claims in a manner not intended by the Applicants in the present invention at the time the claims were originally filed. Yet, the aforementioned case expressly asserts that applicants have the option of using “at least one of ... or” terminology in the claims, citing Brown v. 3M, 265 F.3d 1349, 1352 (Fed. Cir 2001), in order to express an “inclusive or” meaning; such a meaning is intended by the Applicant in the present application. Accordingly, Applicant asserts that the amended language of claims 1, 6-10, 12, 13, and 17-20 does not render the claims indefinite. Thus, the amended claims 1, 6-10, 12, 13, and 17-20 should not draw a rejection under 35 U.S.C. § 112. Applicant also asserts that these claims as amended recite the meaning intended by the Applicant at the time of filing, and are therefore of at least equivalent scope as originally filed. Alternatively or additionally, Applicant asserts that the claims as amended are of broader scope than as originally filed. Thus, the amendments to these claims are not limiting amendments.

ALLOWABLE SUBJECT MATTER

The Examiner indicated that claims 1, 2, 4-9, 21, and 23-26 recite allowable subject matter, assuming the rejection under 35 U.S.C. § 112 can be overcome by amendment of claim 1 and 10 to remove the term “exactly” from these claims where the

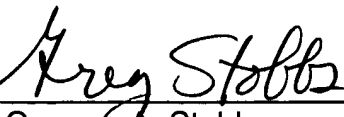
term "exactly" modifies the term "reflects". Applicants have complied by amending claims 1 and 10 as required. Applicants have also amended claim 10 to include the subject matter recited in allowable claim 25, cancelled claim 25, and amended claim 26 to render it dependent from claim 10. Accordingly, Applicants believe that claims 1, 2, 4-9, 10-14, 16-24, and 26 are now in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: June 20, 2005

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